

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
)
Plaintiff,) 8:09CR129
)
)
v.)
)
BRYAN S. BEHRENS,) PROTECTIVE ORDER
)
)
Defendant.)
)

This Protective Order is entered to resolve the parties' dispute over the entry of unredacted copies of Exhibit Nos. 16a, 17b, 18b, 19c, 20b, 21c, 22b, 22c, and 23c in defendant's sentencing hearing. These unredacted copies contain confidential information which had been redacted prior to being disclosed to the government in preparation for defendant's sentencing hearing.

IT IS HEREBY ORDERED that the confidential information contained in the exhibits be disclosed only in designated ways:

1) As used in the Protective Order, these terms have the following meanings:

"Attorneys" means any counsel of the parties;

"Confidential" documents are the exhibits designated in the opening paragraph of this protective order;

2) All Confidential documents, along with the information contained in the documents, shall be used solely for the purpose of this action, and no person receiving such

documents shall, directly or indirectly, use, transfer, disclose, or communicate in any way the documents or their contents to any person other than those specified in paragraph 3. Any other use is prohibited.

3) Access to any Confidential document shall be limited to:

- (a) the Court and its staff;
- (b) Attorneys;
- (c) persons shown on the face of the document to have authored or received it;
- (d) court reporters retained to transcribe testimony; and
- (e) the parties.

4) Within 60 days of the termination of this action, including any appeals, each party shall either destroy or return to Steven Achelpohl, Attorney at Law, all copies of such documents.

5) Any party may apply to the Court for a modification of the Protective Order, and nothing in this Protective Order shall be construed to prevent a party from seeking such further provisions enhancing or limiting confidentiality as may be appropriate.

6) No action taken in accordance with the Protective Order shall be construed as a waiver of any claim or defense in

the action or of any position to discoverability or admissibility of evidence.

7) The obligations imposed by the Protective Order shall survive the termination of this action.

DATED this 21st day of October, 2011.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court